



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1
MCMANIMON, SCOTLAND & BAUMANN, LLC
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Order Filed on August 12, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In re:

MARK B. ENGEL,

Debtor.

Case No. 19-20646 (KCF)

Chapter 7

Honorable Kathryn C. Ferguson, U.S.B.J.

**ORDER GRANTING LIMITED RELIEF FROM THE
AUTOMATIC STAY TO PROCEED WITH PROBATE
COMPLAINT AGAINST DEBTOR**

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

DATED: August 12, 2020

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson".

Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

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Debtor: Mark B. Engel
Case No.: 19-20646 (KCF)
Caption of Order: Order Granting Limited Relief from the Automatic Stay to Proceed with Probate Complaint Against the Debtor

THIS MATTER having been opened to the Court by Neil Engel, Lori Engel, Brian Engel and Jason Engel (the “Movants”) by and through their counsel, Law Offices of Peter C. Lucas, LLC, upon the filing of a Motion for Relief from the Automatic Stay to Allow Movants to Proceed with Probate Complaint (the “Motion”); and due and proper notice of the Motion having been given; and the Chapter 7 Trustee, Andrea Dobin, having interposed a limited objection by her counsel McManimon Scotland & Baumann, LLC; and the Court having considered the papers in support of the Motion and Trustee’s limited objection; and the Court having heard oral argument on the return date of the Motion and for the reasons set forth on the record granting of the relief as set forth herein;

IT IS ORDERED that the Motion is **GRANTED IN PART**; and it is further **ORDERED** that Movants are granted relief from the automatic stay to initiate a complaint in the Superior Court of New Jersey, Chancery Division, Probate Part, in the Estate of Martha R. Engel seeking the following relief:

- a. Removal of the Debtor as Executor;
- b. Obtaining an Accounting of the Probate Estate from the Debtor;
- c. Investigating the financial affairs of the Debtor and/or Martha R. Engel, focusing on transactions involving both of these parties and/or their assets;

and it is further

ORDERED that Movants reserve the right to seek additional relief from the automatic stay to pursue other remedies against the Debtor and/or the Bankruptcy Estate.